

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
TARLOCHAN S. PUREWAL AND)
DAVID J. GREENLEAF)
Serial No. 07/649,140)
Filed: January 30, 1991) Group Art Unit:
For: MEDICINAL AEROSOL) Examiner:
FORMULATIONS)

DECLARATION OF DAVID J. GREENLEAF

I, DAVID J. GREENLEAF, declare as follows:

1. I am the David J. Greenleaf named as coinventor in the subject application.

2. Example 24 of the subject application contains an inadvertent typographical error as follows. The decimal point in the amount of ethanol employed is misplaced. The actual amount of ethanol employed in preparing the formulations described in Example 24 was 0.58g instead of the stated 0.058g.

3. Exhibit 1 attached hereto are the laboratory notebook records recording the work which is the subject of Example 24. As noted in Exhibit 1, the amount of ethanol employed in preparing each formulation was actually 0.58g.

4. Exhibit 2 attached hereto is an appendix to a letter which forwarded data to our patent agent who was involved in the preparation of the subject application. The appendix was prepared on or about June 6, 1989. This appendix listed the amount of ethanol employed in Example 24 incorrectly as 0.058g. The error in this appendix either resulted from an error made by me in transcribing the data from the laboratory notebook records (Exhibit 1) in preparing a handwritten draft of the appendix or by our former secretary, Angela Dickson, who prepared the

typewritten version shown in Exhibit 2. While I ordinarily proof typewritten documents against my handwritten drafts I may have missed the error contained in Exhibit 2 assuming that the error was made during the typing of Exhibit 2.

5. Example 24 indicates the volume of the formulations prepared was 5 ml. Exhibit 3 indicates the type of calculations I made prior to preparing the formulations of Example 24, which contained propellant 134a and ethanol in a ratio of 90:10 (w/w). If the incorrect amount of ethanol (0.058g) had been used, the volume obtained would have been only 4.34 ml rather than the indicated 5 ml.

6. The error in Example 24 referred to above was totally inadvertent and was without any deceptive intent.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardise the validity of the subject application or any patent issuing thereon.

Further declarant saith not.

D. Greenleaf
Declarant

P. Housarth
Witness

20th May 1991
Date

RWS:ds
D14:7